

09/678,414

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:

David W. Carlson

Appln. No.: 09/678,414

Filed: October 2, 2000

For: METHOD FOR PLANARIZING A THIN FILM

Group Art Unit: 2823

Examiner: Brook Kebede

REQUEST FOR REFUND

Mall Stop 16
Director of the US Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants' attorney requests that \$500 be credited to Deposit Account 502305 due to the following facts:

1. On October 2, 2000, the above-identified application was filed with 1 independent claim and 17 total claims.
2. On March 15, 2002, a Response to Office Action was filed. The response deleted five dependent claims (3, 4, 8, 11, and 12), added one independent claim (18), and added six total claims (18-23). Thus, 2 independent claims and 18 total claims were present.
3. On November 1, 2002, a Response to Advisory Action was filed. The response deleted independent claim 18, and converted dependent claim 22 into an independent claim. Thus, 2 independent claims and 17 total claims were present.
4. On March 4, 2003, a Response to Office Action was filed. The response added one new independent claim (24), and five total claims (24-28). Thus, 3 independent claims and 22 total claims were present. A check for \$36 for two additional total claims was submitted with the response, and cashed by the PTO. As a result, 3 independent claims and 22 total claims had been paid for at this time.

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Atty. Dkt. No. 100-13602
(P04797-C2)

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5. On August 11, 2003, an Amendment After Final was filed. The amendment converted claims 9 and 17 into independent claims, and cancelled claim 26. As a result, 5 independent claims and 21 total claims were present. A check for \$168 for two additional independent claims was submitted with the amendment, and cashed by the PTO. As a result, 5 independent claims and 22 total claims had been paid for at this time.

6. The August 11, 2003 amendment was not entered, and was resubmitted on October 24, 2003 with an RCE. The October 24, 2003 amendment converted claims 9 and 17 into independent claims, and cancelled claim 26. As a result, 5 independent claims and 21 total claims were present. No additional claim fee was submitted since 5 independent claims and 22 total claims had been paid for as of the August 11, 2003 filing.

7. On January 30, 2004, an amendment was filed. The amendment added two independent claims (29 and 30). As a result, 7 independent claims and 23 total claims were present. A copy of the January 30, 2004 response is enclosed as Attachment A.

8. As noted above, the fee for 5 independent claims and 22 total claims had previously been paid. As a result, a check (our check number 1574) for \$208 for two additional independent claims and two additional total claims was submitted with the amendment, and cashed by the PTO. As a result, 7 independent claims and 24 total claims had been paid for at this time. A copy of our check number 1574 (both sides) is enclosed as Attachment B.

9. On May 20, 2005, a Response to Office Action was filed (and received by the PTO on May 23, 2005). The response did not add or delete any claims. As a result, 7 independent claims and 23 total claims were present, and 7 independent claims and 24 total claims had been paid for at this time. A copy of the May 20, 2005 response is enclosed as Attachment C.

10. On July 22, 2005, applicants' attorney received a monthly statement of Deposit Account dated June 30, 2005, indicating \$100.00 was debited from account on June 2, 2005 for Fee Code 1202 (for two additional total claims) and \$400.00 for Fee Code 1201 (for two additional independent claims) for the May 20, 2005 response. A copy of the Deposit Account Statement is enclosed as Attachment D.

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11. Therefore, since 7 Independent claims and 23 total claims were present with the May 20, 2005 response, and 7 Independent claims and 24 total claims had been paid for at this time, the PTO erroneously debited \$500 from Deposited Account No. 502305 as no additional fee was due.

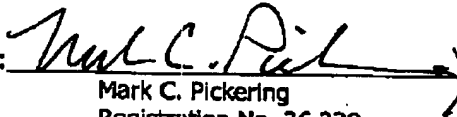
Accordingly, applicant's attorney respectfully requests that \$500.00 to be credited to our Deposit Account No. 502305.

Respectfully submitted,

Dated:

7-25-05

By:



Mark C. Pickering
Registration No. 36,239
Attorney for Assignee

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(P04797-C2)



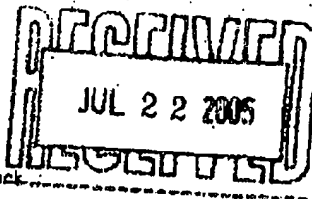
UNITED STATES PATENT AND TRADEMARK OFFICE

MONTHLY STATEMENT
OF DEPOSIT ACCOUNT

To replenish your deposit account, detach and return top portion with your check. Make check payable to Director of Patents & Trademarks.

LAW OFFICES OF MARK C PICKERING
MARK C PICKERING
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FINA



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Page	1

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DATE POSTED			CONTROL NO.	DESCRIPTION (Serial, Patent, TM, Order)	POCKET NO.	FEE CODE	CHARGES/ CREDITS	BALANCE
MO.	DAY	YR.						
6	2	05	5	09678414	100-13601	1202	100.00	1864.00
6	2	05	6	09678414	100-13601	1201	400.00	1464.00
AN AMOUNT SUFFICIENT TO COVER ALL SERVICES REQUESTED MUST ALWAYS BE ON DEPOSIT								
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MS020B (8/2004)

*** O.D. INDICATES OVERDRAWN

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service, postage prepaid, in an envelope, addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 05-20-05

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Date: May 20, 2005 Stephen L. King

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RESPONSE TO OFFICE ACTION DATED
FEBRUARY 23, 2005*file only***INTRODUCTORY COMMENTS**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Official Action mailed February 23, 2005, please amend the above-identified application as indicated in the following:

Amendments to the Specification which begin on page 3 of this paper;

Amendments to the Claims are reflected in the listing of claims which begins on page 5 of this paper;

Remarks which begin on page 13 of this paper;**Appendix A** which begins on page 22 of this paper;

86/02/2005 ASMITH 08888885 502305 09678414
01 FC:1202 100.00 DA
02 FC:1201 400.00 DA

Appendix B which begins on page 23 of this paper;

AMENDMENT IN RESPONSE TO OFFICE
ACTION DATED FEBRUARY 23, 2005

Atty. Docket No. 100-13602
(P04797-C2)

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Adjustment date: 09/20/2005 SDIRET01
06/02/2005 ASMITH 00000005 502305 09678414
01 FC:1202 100.00 CR
02 FC:1201 400.00 CR

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